

LAW AND PUBLIC SAFETY

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Filing of Application and Advertising Notice of Application for State License:

Rules of General Application; Relaxation; Filing of Application and Advertising

Notice of Application for Municipal License: Application Forms; Issuance of

Special Permits By Director: Social Affair Permit; Special Concessionaire Permit;

Special Permit for a Golf Facility; Special Permit for the sale or purchase of

alcoholic beverages; Temporary Miscellaneous contingency permits; Transfer of

State and Municipal Licenses: Fee for license transfer to other premises or to

another person; Fee for combined license transfer; Special Permits for Home

Manufacture of Malt Alcoholic Beverages and Wines for Personal or Household

Use or Consumption: Special malt alcoholic beverage and wine permit;

Employment by Licensees of A Person Failing to Qualify as a Licensee: Minor's

employment permit; fees; Blanket employment permit; Rehabilitation employment

permit; duration; types; fees; Transportation of Alcoholic Beverages by Licensees;

Insignia; Application; fees; Transportation of Alcoholic Beverages Into, Through

Or Out of the State; Limited Transportation Permit; Consumer Alcoholic Beverage

Tastings and Tasting Dinners; Consumer alcoholic beverage tastings or tasting

dinner events.

Special Adopted and Concurrent Proposed Amendments: N.J.A.C. 13:2-1.9; 13:2-

2.1; 13:2-5.1; 13:2-5.2; 13:2-5.3; 13:2-5.4; 13:2-5.5; 13:2-7.11; 13:2-7.12; 13:2-12.1; 13:2-14.2; 13:2-14.7; 13:2-20.6; 13:2-21.4; 13:2-37.1.

Special Amendments Adopted and Current Proposal Authorized:

July 3, 2003 By: _____/s/_____

Jerry Fischer, Director

Division of Alcoholic Beverage Control

Adoption filed: _____ as R. 2003, d. ____

Authority: P. L. 2003, c. 117; N.J.S.A. 33:1-27; 33:1-39; 33:1-74.

Calendar Reference: See Summary below for explanation of exception to
calendar requirement.

Concurrent Proposal Number: PRN 2003-312

Effective Date: July 3, 2003

Expiration Date: January 5, 2004

Submit written comments by October 3, 2003 to:

Jerry Fischer, Director

Division of Alcoholic Beverage Control

140 East Front Street

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Trenton, New Jersey 08625-0087

These amendments were adopted in accordance with P.L. 2003, c. 117 and became effective upon acceptance for filing by the Office of Administrative Law (see N.J.S.A. 52:14B-4(c) as implemented by N.J.A.C. 1:30-6.4).

Concurrently, the provisions of these amendments are being proposed for readoption in accordance with the normal rulemaking requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. The readopted amendments will become effective upon acceptance for filing by the Office of Administrative Law (see N.J.A.C. 1:3-6.4(f)) if filed on or before the six months expiration date, in accordance with P.L. 2003, c. 117.

The agency special adoption and concurrent proposal follows:

Summary

The Division of Alcoholic Beverage Control (Division) is amending the fee provisions for the filing of applications to the Division and the issuance by the Division of certain permits relating to the sale and purchase of alcoholic beverages. These changes are in response to recent legislation (P.L. 2003, c. 117) which increases the permissible range of fees and sets other fees. The amendments are required to keep the Division's regulations in sync with the revisions to the Alcoholic Beverage Control Act, N.J.S.A. 33:1-1, et seq. contained in this legislation.

The amendment to N.J.A.C. 13:2-1.9 provides that a licensee will be subject to disciplinary action or the denial of current and future applications if all or a portion of the requisite fee is not paid to the Director or other issuing authority for an application or permit. Subsection (e) of this rule provides that any applicant for a license or license renewal who has submitted the license fee for an application for a license issued or transferred on or after July 1, 2003, or renewed for a license term commencing on or after July 1, 2003, shall submit immediately any outstanding portion of the total license fee as increased by P.L. 2003 , c. 117. If the increased portion of the license fee has not been paid in full by October 1, 2003, the applicant shall be deemed to be in violation of N.J.S.A. 33:1-27 and the director may issue an ex parte order revoking the license or indefinitely suspending it until payment. This provision codifies the intent of P.L. 2003, c. 117, which provides that if a license fee is not fully paid by the designated deadline for payment, the applicant for the license shall be deemed to be in violation of N.J.S.A. 33:1-27 which mandates the payment of license fees. The legislation provides a specific grace period for the 2003-2004 license term which ends on October 1, 2003 for the payment of the increased fees. The legislation further provides that after the expiration of the designated deadline for payment, the Director “may issue an ex parte order revoking the license or indefinitely suspending same until payment.” This authority is in addition to the existing penalty for unpaid checks

submitted to the Director or issuing authority and is limited to the payment of the increased fees as provided in P.L. 2003, c. 117.

The amendment to N.J.A.C. 13:2-2.1 provides that the non-refundable filing fee, payable to the Division of Alcoholic Beverage Control, to be submitted with applications for and renewals of alcoholic beverage licenses shall increase from \$100.00 to \$200.00. This increase mirrors the increase contained in the recent budget legislation.

The amendment to N.J.A.C. 13:2-5.1 provides that the fee accompanying an application for a social affair permit filed by a religious, civic, educational or veteran's organization shall increase from \$50.00 to \$100.00 and the fee accompanying an application for a social affair permit filed by another qualifying organization shall increase from \$75.00 to \$125.00. This increase mirrors the increase contained in the recent budget legislation.

The amendment to N.J.A.C. 13:2-5.2 provides that the fee which must accompany an application for a special concessionaire permit shall be set at \$2000.00. Currently, the regulation provides that the fee for the permit shall be fixed by the Director and it has been set by Division policy at \$1000.00. The new fee set in the regulation is in line with the new parameters for fees as contained in the recent budget legislation.

The amendment to N.J.A.C. 13:2-5.3 provides that the fee which must

accompany an application for a special permit for a golf facility shall be set at \$2000.00. Currently, the regulation provides that the fee for the permit shall be \$1000.00. The new fee set in the regulation is in line with the new parameters for fees as contained in the recent budget legislation.

The amendment to N.J.A.C. 13:2-5.4 provides that the range of fees which must accompany an application for a special permit for the sale or purchase of alcoholic beverages shall be not less than \$10.00 nor more than \$2000.00. Currently, the regulation provides that the range of fees shall be not less than \$5.00 nor more than \$1000.00. The actual fee for each permit issued under this section shall be fixed by the Director within the range set by the amendment. New subsection (e) sets out the current Special Permits issued by the Director and the required fees for each of the permits. These permits have been issued in the past pursuant to Division policy. This new subsection sets out a list of these Special Permits and their new fees are within the new parameters for fees as contained in the recent budget legislation.

The amendment to N.J.A.C. 13:2-5.5 provides that the range of fees which must accompany an application for a temporary miscellaneous contingency permit for the sale or purchase of alcoholic beverages shall be not less than \$10.00 nor more than \$2000.00. Currently, the regulation provides that the range of fees shall be not less than \$5.00 nor more than \$1000.00. The actual fee for each permit

issued under this section shall be fixed by the Director within the range set by the amendment. The new range of fees set in the amendment mirrors the new parameters for fees as contained in the recent budget legislation.

The amendment to N.J.A.C. 13:2-7.11 provides that the fee which must accompany an application for transfer of a retail license shall be set at \$200.00. Currently, the regulation provides that the fee for the application shall be \$100.00. The new fee set in the regulation is in line with the new parameters for fees as contained in the recent budget legislation.

The amendment to N.J.A.C. 13:2-7.12 provides that the fee which must accompany an application for a combined transfer of a retail license shall be set at \$200.00. Currently, the regulation provides that the fee for the application shall be \$100.00. The new fee set in the regulation is in line with the new parameters for fees as contained in the recent budget legislation.

The amendment to N.J.A.C. 13:2-12.1 provides that the fee for a permit for the manufacture of malt alcoholic beverages and wines for personal or household use shall be set at \$15.00. Currently, the regulation provides that the fee for the permit shall be \$10.00. The new fee set in the regulation is in line with the new parameters for fees as contained in the recent budget legislation.

The amendment to N.J.A.C. 13:2-14.2 provides that the fee for an individual permit for minor's employment shall be set at \$15.00. Currently, the regulation

provides that the fee for the permit shall be \$10.00. The new fee set in the regulation is in line with the new parameters for fees as contained in the recent budget legislation.

The amendment to N.J.A.C. 13:2-7.14.4 provides that the fee for a blanket employment permit shall not exceed \$1000.00 per year. Currently, the regulation provides that the fee for the permit shall not exceed \$500.00 per year. The new fee set in the regulation is in line with the new parameters for fees as contained in the recent budget legislation.

The amendment to N.J.A.C. 13:2-14.7 provides that the fee which must accompany an application for a rehabilitation employment permit shall be set at \$150.00 per year. Currently, the regulation provides that the fee for the application shall be \$100.00 per year. The new fee set in the regulation is in line with the new parameters for fees as contained in the recent budget legislation.

The amendment to N.J.A.C. 13:2-20.6 provides that the fee which must accompany an application for a transit insignia shall be set at \$75.00 per insignia. Currently, the regulation provides that the fee shall be \$50.00 per insignia. Additionally, the amendment provides that the fee for a transportation license insignia shall be set at \$30.00 for each insignia. The current fee is \$20.00 for each insignia. The fee to be submitted with an application for a limited transportation permit shall be set at \$750.00. The current fee is \$400.00. Additionally, the

amendment provides that the fee for a limited transportation license insignia shall be set at \$75.00 for each insignia. The current fee is \$40.00 for each insignia. The new fees set in the regulation are in line with the new parameters for fees as contained in the recent budget legislation.

The amendment to N.J.A.C. 13:2-37.1 provides that the fee which must accompany an application for an annual special permit to participate in consumer tasting events for a supplier, manufacturer or wholesaler shall be set at \$200.00 and an additional \$200.00 for each solicitor or duly authorized representative. Currently, the regulation provides that the fee for each shall be \$100.00. The new fees set in the regulation are in line with the new parameters for fees as contained in the recent budget legislation.

A 60-day comment period is provided for this notice of proposal and, therefore, pursuant to N.J.A.C. 1:30-3.3(a)5, the proposal is not subject to the provisions of N.J.A.C. 1:30-3.1 and 3.2 governing rulemaking calendars. Additionally, these amendments are submitted pursuant to P.L.2003, c. 117 to effectuate that legislation's provisions. The legislation provides that the regulations promulgated to effectuate its provisions shall be immediately effective for a period not to exceed six months upon their filing with the Office of Administrative Law and thereafter may be amended, adopted or readopted in accordance with the requirements of the Administrative Procedure Act, N.J.S.A.

52:14B-1, et seq., and the Administrative Procedure Rules, N.J.A.C. 1:1, et seq.

Social Impact

The amendments increasing application or permit fees with regard to the sale or purchase of alcoholic beverages impact New Jersey's taxpayers because increased fees will reduce the need for higher taxes to adequately support the administration of State government, including the legislatively mandated activities of the Division. The Division is responsible for enforcing the legislative intent expressed in the Alcoholic Beverage Control Act, N.J.S.A. 33:1-1 *et seq.*, to strictly regulate alcoholic beverages to protect the health, safety and welfare of the people of this State.

The amendments to increase fees may impact the alcoholic beverage industry because the amendments will increase the costs associated with the sale and purchase of alcoholic beverages. The larger fees may also result in higher costs for the purchase of alcoholic beverages if the alcoholic beverage industry passes the costs of the increased fees on to consumers.

The amendment to N.J.A.C. 13:2-1.9 may also impact the alcoholic beverage industry. This amendment provides that if all or a portion of the requisite fee is not paid to the Director or other issuing authority for an application or permit, a licensee will be subject to disciplinary action, including revoking the

license/permit or indefinitely suspending it until payment, or the denial of current and future applications. The disciplinary action shall be ex parte, that is, upon confirmation of the failure of a licensee to pay the entire requisite fee by the required date, the Director can immediately take disciplinary action without prior notice. The budget legislation provides a specific payment grace period for the 2003-2004 license term which ends on October 1, 2003, for the payment of the increased fees. Thus, if the Division does not receive payment by October 1, 2003 for the entire license/permit fee, disciplinary action will result against the applicant for the license or permit.

Fees for alcoholic beverage applications and permits have not been increased since approximately 1994. The administration of State government, including the enforcement of the alcoholic beverage control laws, assists in preserving the legislatively mandated three-tier system for the benefit of the people of this State and the alcoholic beverage industry.

Economic Impact

The amendments to increase application or permit fees with regard to the sale or purchase of alcoholic beverages will have an economic impact on New Jersey's taxpayers because these increased fees will reduce the need for higher taxes to adequately support the administration of State government, including the

legislatively mandated activities of the Division to enforce the alcoholic beverage laws.

The amendments to increase fees may economically impact the alcoholic beverage industry because the amendments will increase the costs associated with the sale and purchase of alcoholic beverages. The larger fees may also result in higher costs for the purchase of alcoholic beverages if the alcoholic beverage industry passes the costs of the increased fees on to consumers.

The amendment to N.J.A.C. 13:2-1.9 may have an economic impact on the alcoholic beverage industry. This amendment provides that if all or a portion of the requisite fee is not paid to the Director or other issuing authority for an application or permit, a licensee will be subject to disciplinary action, including revoking the license/permit or indefinitely suspending it until payment, or the denial of current and future applications. The disciplinary action shall be ex parte, that is, upon confirmation of the failure of a licensee to pay the entire requisite fee by the required date, the Director can immediately take disciplinary action without prior notice. The budget legislation provides a specific payment grace period for the 2003-2004 license term which ends on October 1, 2003, for the payment of the increased fees. Thus, if the Division does not receive payment from the applicant for a license or permit by October 1, 2003 for the entire fee, disciplinary action will result.

Fees for alcoholic beverage applications and permits have not been increased since approximately 1994. The new fees contained in these proposed amendments are more in line with current economic conditions both at the Division and in the State.

Jobs Impact

The amendments are not expected to have any job impact since the amendments will increase already existing fees for applications and permits for the sale and purchase of alcoholic beverages. There are no changes in procedural requirements and no greater permitting restrictions or requirements that would result in the loss or gain of jobs in the alcoholic beverage industry.

Federal Standards Statement

A Federal standards analysis is not required since the amendments are dictated and in accordance with N.J.S.A. 33:1-1, *et seq.* There are no federal requirements or standards applicable to this rulemaking.

Agriculture Industry Impact

The amendments will have no impact on the agriculture industry in this State.

Regulatory Flexibility Analysis

Pursuant to the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16, *et seq.*, a “small business” means any business resident in this State that employs fewer than 100 full-time employees; is independently owned and operated; and is not dominant in its field. A percentage of the retailers in New Jersey’s alcoholic beverage industry could be considered "small businesses" within the meaning of the Regulatory Flexibility Act. Compliance with the amendments will not result in permit or license applicants having to obtain professional services. The amendments will not impose additional reporting or recordkeeping requirements on small businesses, but do impose compliance requirements in the form of fees for licenses and permits and provide that an applicant will be subject to disciplinary action, including revoking a license/permit or an indefinite suspension, if payment in full is not made by October 1, 2003. The fees are based upon the types of permits sought, therefore, the fee increases will generally have the same impact on a small business as on any other business. The fees applicable to retailers and wholesalers, some of which are graduated depending on business size or volume, reflected in this proposal are fixed by the legislature. The fees fixed by the Director are based on the parameters set out in N.J.S.A. 33:1-17 as increased by the budget legislation. Because these permits are intended to uniformly regulate certain activities relating to the provision and sale of alcohol in the marketplace, no lesser

requirements for small businesses are provided. A fee scheme which would set graduated fees for the large number of miscellaneous permits covered by N.J.S.A. 33:1-74 would be unreasonably burdensome for the Division to administrate due to the budgetary and personnel constraints of the agency. Thus, these amendments impose fees and compliance requirements set by the Director that are consistent for all licensees regardless of size.

Smart Growth Impact

The Division does not believe that the amendments will have any impact upon the achievement of smart growth or the implementation of the State Development and Redevelopment Plan.

Full text of the special adoption and concurrent proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

NEW JERSEY ADMINISTRATIVE CODE

TITLE 13. LAW AND PUBLIC SAFETY

13:2-1.9 Rules of general application; relaxation

(a)-(c) (No change.)

(d) **In the event that a** [C] **check[s]** submitted by a licensee, permittee or applicant which [are] is returned unpaid to the Director or other issuing authority, **or all or**

any portion of any fee required is unpaid, [shall subject] the licensee, permittee or applicant **shall be subject to** disciplinary action or denial of current and future applications.

(e) Notwithstanding (d) above, any applicant for a license or license renewal who has submitted the license fee for an application for a license issued or transferred on or after July 1, 2003, or renewed for a license term commencing on or after July 1, 2003, shall submit immediately any outstanding portion of the total license fee as increased by P.L. 2003 , c. 117. If the increased portion of the license fee has not been paid in full by October 1, 2003, the applicant shall be deemed to be in violation of N.J.S.A. 33:1-27 and the director may issue an ex parte order revoking the license or indefinitely suspending it until payment.

13:2-2.1 Application forms

(a) Application for license must be filed with the issuing authority, in triplicate, on forms prescribed by the Director, Division of Alcoholic Beverage Control at or before the first insertion of advertisement together with the full annual license fee and an additional [\$100.00] **\$200.00** filing fee payable to the Division of Alcoholic Beverage Control. One copy of the application and the non-returnable filing fee of [\$100.00] **\$200.00** shall be forwarded by the issuing authority to the [d]**D**irector

immediately upon receipt thereof, and a second copy returned to the applicant. If the application is to include as the licensed premises a building not yet constructed, plans of the proposed building shall accompany the application. The plans shall show the appearance and design of the proposed building, the type or types of exterior building material and the overall room dimensions.

1. If an applicant is a corporation, partnership, or other legal entity, the names and residences of all those persons identified in N.J.A.C. 13:2- 1.2(a) shall be inserted in the application. If in listing those, another corporation, partnership, or other legal entity is noted, the notice shall also contain the names and addresses of the officers, directors, stockholders, partners, or members in that other entity noted.

13:2-5.1 Social affair permit

(a) (No change.)

(b) A fee, in the sum of [\$50.00] **\$100.00**, per day, made payable to the Division of Alcoholic Beverage Control must accompany each application for social affair permit filed by religious, civic, educational or veterans organizations; and [\$75.00] **\$150.00** for such other organizations, and must be received at least seven days in advance of date for which permit is requested.

(c)-(i) (No change.)

13:2-5.2 Special concessionaire permit

(a) (No change.)

(b) The term of a special concessionaire permit shall be from July 1 through June 30 unless otherwise specified. The fee for the permit shall be [fixed by the Director] **\$2000.00**, and is payable with the application to the Division of Alcoholic Beverage Control.

(c)-(i) (No change.)

13:2-5.3 Special permit for a golf facility

(a) (No change.)

(b) The term of a special permit for a golf facility shall be from July 1 through June 30 unless otherwise specified. The fee for the permit shall be [\$1,000] **\$2000.00**, payable with the application to the Division of Alcoholic Beverage Control.

(c)-(k) (No change.)

13:2-5.4 Special permit for the sale or purchase of alcoholic beverages

(a) (No change.)

(b) An application for such special permit shall be filed with the Division at least seven days before the proposed sale on forms to be prescribed by the Director and accompanied by payment of fees as set forth by the Director. The fees for such

permits shall not be less than [\$5.00] **\$10.00** nor more than [\$1,000] **\$2,000.00**.

(c)-(d) (No change.)

(e) **List of Special Permits issued by the Director and the required fees.**

<u>TYPE OF PERMIT</u>	<u>PERMIT FEE</u>
<u>Temporary Extension to Administrator/Executor</u>	<u>\$50.00</u>
<u>Ad Interim</u>	<u>\$75.00</u>
<u>Bulk Sale</u>	<u>\$75.00</u>
<u>Close Out</u>	<u>\$25.00</u>
<u>Donation</u>	<u>\$50.00</u>
<u>Extension of Premises</u>	<u>\$75.00</u>
<u>Food and Pharmaceutical</u>	<u>\$25.00</u>
<u>Gratuitous Gifts</u>	<u>\$75.00</u>
<u>Gratuitous Service</u>	<u>\$50.00</u>
<u>Merchandising Show</u>	<u>\$100.00</u>
<u>Mechandising Show - Out of State Importers</u>	<u>\$200.00</u>
<u>Omnibus</u>	<u>\$750.00</u>
<u>Import for Personal Consumption</u>	<u>\$50.00</u>
<u>Retailer to Retailer Sale</u>	<u>\$75.00</u>
<u>Sacramental Wine</u>	<u>\$50.00</u>
<u>Sampling/Display</u>	<u>\$75.00</u>
<u>Storage in Transit</u>	<u>\$50.00</u>
<u>Temporary Authorization to Operate</u>	<u>\$200.00</u>
<u>Temporary Storage</u>	<u>\$75.00</u>

<u>Temporary Warehousing</u>	<u>\$75.00</u>
<u>Wine Parcel Delivery</u>	<u>\$75.00 to</u> <u>\$200.00</u>
<u>Wine Festival</u>	<u>\$25.00</u>
<u>Wine Seminar</u>	<u>\$50.00</u>

13:2-5.5 Temporary miscellaneous contingency permits; fees

a) (No change.)

(b) Application for such permits shall be on forms prescribed by the Director and shall be accompanied by payment of fees as set forth by the Director. The fees for such permits shall not be less than [\$5.00] **\$10.00** nor more than [\$1,000] **\$2000.00**.

(c) (No change.)

13:2-7.11 Fee for license transfer to other premises or to another person

Applications for transfers of license to other premises only, or applications for transfer of license to another person only, shall be filed in triplicate and accompanied by a fee of 10 percent of the full annual license fee for said license, which fee shall be retained by the Director or other issuing authority as the case may be, whether or not the transfer is granted, and is to be accounted for as are other license fees. If the application is for transfer of a retail license to be acted

upon locally, it must also be accompanied by a filing fee of [\$100.00] **\$200.00** to be forwarded to the Director of the Division of Alcoholic Beverage Control along with the original of the application.

13:2-7.12 Fee for combined license transfer

Applications for transfer of license to other premises and other persons shall be filed in triplicate and accompanied by a fee of 20 percent of the full annual license fee for said license, which fee shall be retained by the Director or other issuing authority as the case may be, whether the transfer is granted or not, and accounted for as are other license fees. If the application is for transfer of a retail license to be acted upon locally, it must also be accompanied by a filing fee of [\$100.00] **\$200.00** to be forwarded to the Director of the Division of Alcoholic Beverage Control along with the original of the application.

13:2-12.1 Special malt alcoholic beverage and wine permits

(a) (No change.)

(b) Malt alcoholic beverages and wines manufactured under the authority of such permit may not be sold under any circumstances, nor may it be used for any purpose other than for personal or household use or consumption of the permittee. The fee for this permit is [\$10.00] **\$15.00**.

13:2-14.2 Minor's employment permit; fees

(a) (No change.)

(b) The fee for an individual permit is [\$10.00] **\$15.00** per calendar year.

13:2-14.4 Blanket minors' employment permit

(a) (No change.)

(b) The fee for the blanket employment permit shall be based upon the number of anticipated employees to be hired under the permit, but shall not exceed [\$500.00] **\$1000.00** per calendar year.

13:2-14.7 Rehabilitation employment permit; duration; types; fees

(a)-(b) (No change.)

(c) The fee for either type of rehabilitation employment permit shall be [\$100.00] **\$150.00** per annually, payable on the date of application.

13:2-20.6 Application; fees

(a) Application for transit insignia shall be filed with the Director upon a prescribed

form accompanied by the full fee of [\$50.00] **\$75.00** for each insignia payable to the order of the Division of Alcoholic Beverage Control.

(b) Application for special transit insignia, which may be issued for passenger type vehicles and consists of a sticker that is less conspicuous than a transit insignia, shall be filed with the director upon a prescribed form accompanied by the full fee of [\$50.00] **\$75.00** for each permit payable to the order of the Division of Alcoholic Beverage Control.

(c) Application for transportation license insignia shall be filed with the [d]**D**irector upon a prescribed form and shall be issued at a cost of [\$20.00] **\$30.00** for each insignia payable to the order of the Division of Alcoholic Beverage Control.

1. No transportation license insignia shall be required for any vehicle operated by a parcel delivery service holding a transportation license for delivery of alcoholic beverages purchased at retail to consumers unless the vehicle is primarily and substantially used at any time for transport or delivery of alcoholic beverages.

2. The parcel delivery service must first be licensed by the Director. Application for licensure shall be made on a form to be provided by the Division.

3. An invoice must be attached to every package stating the purchaser's name, address, destination, quantity of wine being shipped and place of purchase. A copy of the original invoice must be made available for inspection by any person authorized to enforce the provisions of the New Jersey Alcoholic Beverage Control

Act, N.J.S.A. 33:1-1 et seq. for a period of one year at the office of the licensee.

13:2-21.4 Limited transportation permit

(a) (No change.)

(b) Application for a limited transportation permit shall be made to the Division on a form prescribed by the Director accompanied by a fee of [\$400.00] **\$750.00**.

(c)-(d) (No change.)

(e) Limited transportation permit insignia are obtainable from the Division in the same manner, with the same eligibility requirements, transfer restrictions and insignia location as a transit insignia as set forth in N.J.A.C. 13:2- 20. The cost for this limited transportation permit insignia is [\$40.00] **\$75.00** per vehicle.

13:2-37.1 Consumer alcoholic beverage tastings or tasting dinner events

(a) Consumer alcoholic beverage tastings or tasting dinner events may be held under the following conditions:

1-6 (No change.)

7. Suppliers, manufacturers or wholesalers of alcoholic beverages may apply for an annual special permit to participate in consumer tasting events solely to provide educational commentary regarding the alcoholic beverages. The fee for the annual special permit for the supplier, manufacturer or wholesaler shall be [\$100.00]

\$200.00 and an additional [\$100.00] **\$200.00** permit for each solicitor or duly authorized representative. Ten days prior to participating in the event, the permittee shall file with the Division a consumer tasting request on a form prescribed by the Director.